



## GLPC AGENDA ITEM # 9

SEPTEMBER 30, 2024

### Character Area Map Amendment Request by James Warren File #: VA-2024-18

Mr. James Warren requesting to amend the Future Development Map of the Greater Lowndes Comprehensive Plan by changing the Character Area designation of three (3) contiguous parcels totaling 0.78 acres, from Established Residential (ER) to Community Activity Center (CAC). The subject properties are located in the Little Miami neighborhood at 202 Denmark Street, which is along the north side of the street about 300 feet west of the intersection with Pendleton Avenue. The properties are currently zoned R-6 and collectively contain an existing commercial/warehouse building (11,100-sf). The applicant is proposing the Character Area change in order to make this property eligible for commercial zoning (future rezoning request) and bring the property out of nonconformity so that it can be properly marketed for commercial uses.

The subject properties are part of a residential neighborhood that was one of the unincorporated islands (# 85) that were annexed by the City in 2006. These properties had Cluster Residential (R-C) zoning in the County, which was the County's multi-family residential zoning district at that time. They were given R-6 zoning in the City upon annexation (which was the City's multi-family residential zoning district at that time). With the adoption of the LDR, the City's rules for R-6 changed such that multi-family is no longer a permitted use in R-6.

Despite the previous zonings allowing multi-family development, virtually none of the properties in the Little Miami area developed with multi-family uses, but instead remained as mostly single-family, with some scattered mobile home development occurring while in the County before the time of annexation. There were also a number of existing small commercial or industrial type uses in this area at the time of annexation, and most of these were likely in place before the County's initial establishment of Zoning in the early 1970's. These commercial/industrial uses were already non-conforming uses in the County at the time of annexation, and have remained completely nonconforming ever since. They are now subject to the City's rules for "nonconforming uses", which stipulates that once a nonconforming use is discontinued for a period of at least 12 months, it may not be reestablished. For the subject properties, there is little to no business licensing history and the exact timeline of business usage is uncertain. However, based on Google imagery it appears that the "South Georgia Garage Door" business occupied the premises for a number of years after the time of annexation. However, they have now been gone from the site for several years.

As stated above, the applicant's primary purpose in requesting the Character Area change is to make the properties eligible for commercial zoning, so that the property can be marketed to a wide range of potential uses. The applicant points out the subject property being adjacent to the CAC character area to the west. However, this portion of the CAC character area fronts South Patterson Street which is an intensive commercial corridor along a busy 4-lane highway. CAC character area is certainly logical along the South Patterson Street corridor. However, in terms of physical access and frontage, the subject properties are physically isolated from this intensive corridor. The only way to access the subject properties from South Patterson Street is along Pendleton Avenue --- through the Little Miami neighborhood and the ER character area via "local streets". It is considered highly inappropriate for commercial uses (particularly the intensive ones...) to have their only means of access through a residential area, and therefore such intensive zoning districts in these areas should not be approved as part of any redevelopment proposal. Consequently, a Character Area change that would allow the possibility of such intensive zoning classifications, should not be approved as well.

Staff understands the history of the property with its commercial/warehouse type buildings, and its currently intensive nonconforming usage, but does believe this situation justifies the potential negative impacts such a change could have on the adjacent residential neighborhood to the east and south. Staff would certainly encourage redevelopment of the subject properties, and even adaptive reuse of the existing buildings, but believes there are better alternatives --- such as an institutional use (many of which are allowed in R-6 with a CUP approval), or perhaps redevelopment as multi-family (requiring a rezoning to R-M, which is eligible in the ER character area).

**Staff Recommendation:** Find inconsistent with the Comprehensive Plan and the Character Area map amendment review criteria, and recommend DENIAL to the City Council.

## Planning Analysis & Property Information

<b>Applicant:</b>	James Warren		
<b>Owners:</b>	Paul Edward Dufresne (the 2 larger parcels), Lowndes County (1 smaller parcel)		
<b>Request:</b>	Amend Future Development Map: change Character Area from Established Residential (ER) to Community Activity Center (CAC)		
<b>Property General Information</b>			
<b>Size &amp; Location:</b>	Three (3) parcels totaling 0.78 acres located along the north side of Denmark Street, about 300' west of the intersection with Pendleton Avenue		
<b>Street Address:</b>	202 Denmark Street		
<b>Tax Parcel ID:</b>	Map # 0161A Parcels: 173, 174, 175	<b>City Council District:</b>	3 <i>Councilman McIntyre</i>
<b>Character Area &amp; Land Use Patterns</b>			
		<b>Character Area</b>	<b>Land Use</b>
<b>Subject Property:</b>	Existing:	Established Residential	Commercial building (vacant ?)
	Proposed:	Community Activity Center	Possibility of commercial development
<b>Adjacent Property:</b>	North:	Established Residential	Public park
	South:	Established Residential	Family Empowerment Center (church)
	East:	Established Residential	Single-family residential neighborhood
	West:	Community Activity Center	Salvage yard, commercial
<b>Zoning &amp; Land Use History</b>	The subject properties were all part of unincorporated island #85 that was annexed by the City in 2006. These properties had R-C zoning in the County and were given R-6 zoning in the City upon annexation		
<b>Neighborhood Characteristics</b>			
<b>Historic Resources:</b>	There are no notable historic resources in the area		
<b>Natural Resources:</b>	Vegetation:	Urban forest	
	Wetlands:	No existing wetlands on or near the property	
	Flood Hazards	The property is located well-outside the current FEMA designated 100-year floodplain	
	Groundwater Recharge:	No significant recharge areas in the vicinity	
	Endangered Species:	No known endangered species in the area.	
<b>Public Facilities</b>			
<b>Water &amp; Sewer:</b>	Existing Valdosta water and sewer services along Denmark Street.		
<b>Transportation:</b>	Denmark Street (local street)		
<b>Fire Protection:</b>	Fire Station # 3 (Ulmer Avenue) = approximately 0.5 miles to the NE.		

**Comprehensive Plan Issues**

**Existing Character Area:** Established Residential

*Description:* Typically an older neighborhood having relatively well-maintained housing, possessing a distinct identity through architectural styles, lot and street design, and having higher rates of home-ownership. These areas are typically located closer to the core of the community and may be located next to areas facing intense development pressures.

*Development Strategy:* Focus should be on reinforcing stability by encouraging more homeownership and maintenance or upgrade of existing properties. Vacant properties offer opportunity for infill development of new, architecturally compatible housing. Strong pedestrian and bicycle connections should be provided to enable residents to walk/bike to work, shopping, or other destinations in the area.

**Proposed Character Area:** Community Activity Center

*Description:* A focal point for several neighborhoods that has a concentration of activities such as general retail, service commercial, office professional, higher-density housing, and appropriate public and open space uses easily accessible by pedestrians.

*Development Strategy:* Each Community Activity Center should include a relatively high-density mix of retail, office, services, and employment to serve a regional market area. Residential development should reinforce the town center through locating higher density housing options adjacent to the town center, targeted to a broad range of income levels, including multi-family town homes, apartments and condominiums. Design for each Community Activity Center should be very pedestrian-oriented, with strong, walkable connections between different uses. Road edges should be clearly defined by locating buildings at roadside with parking in the rear. Direct connections to greenspace and trail networks should be provided. The pedestrian-friendly environment should be enhanced by adding sidewalks and other pedestrian-friendly trails/bike routes linked to other neighborhood amenities such as libraries, neighborhood centers, health facilities, parks, and schools.

**Goals and Policies:**

Objective 3.1.3 – Promote the appropriate use of infill and redevelopment in established residential neighborhoods.

Objective 3.2.3 – Protect well-established neighborhoods from incompatible uses.

**GOAL 7: LAND USE** – To ensure the community’s anticipated growth occurs in a well-integrated yet organized fashion, which protects our community resources, promotes efficient use of infrastructure and transportation facilities, and supports quality economic development.

**POLICY 7.5** – Available land shall be utilized in the most efficient manner while focusing on redevelopment of land where feasible.

**Future Development Map Amendment Considerations** *(Review Criteria)*

*In reviewing and making a decision on a proposed amendment to the Future Development Map of the Comprehensive Plan, the City staff, Planning Commission and City Council shall consider the following standards. The proposed responses to these standards by staff are listed below.*

<b>(1) Whether a proposed Future Development Map amendment would result in a Character Area classification that is more consistent with the text and policies of the Comprehensive Plan than the current classification of the property on the Future Development Map.</b>	
<b>Applicant:</b>	[see attached “Exhibit A”] ....
<b>Staff:</b>	No. The proposed Character Area classification is not consistent with the logical future development pattern of this area.

<b>(2) Whether the proposed amendment would result in a Character Area classification that is more compatible with the current and future Character Area classifications of adjacent and nearby property..</b>	
<b>Applicant:</b>	[see attached "Exhibit A"]
<b>Staff:</b>	Yes. The proposed Character Area classification is not compatible with the Established Residential character area classification on 3 sides of the subject property.
<b>(3) Whether the proposed amendment would result in more efficient use of publicly financed community facilities and infrastructure.</b>	
<b>Applicant:</b>	[see attached "Exhibit A"]
<b>Staff:</b>	No. Existing City water/sewer services nor the local street system of the neighborhood is conducive to accommodate the potential scale of allowable zoning/development under the CAC character area designation
<b>(4) The extent to which the proposed amendments would increase adverse impacts on the natural environment; especially water quality, greenspace preservation and air quality.</b>	
<b>Applicant:</b>	[see attached "Exhibit A"]
<b>Staff:</b>	No significant adverse impacts at this scale.
<b>(5) Whether the proposed amendments would reduce dependence on the automobile.</b>	
<b>Applicant:</b>	[see attached "Exhibit A"].
<b>Staff:</b>	No significant change or impact on reducing automobile dependency.
<b>(6) The extent to which the proposed amendment would increase adverse impacts on historic or cultural resources.</b>	
<b>Applicant:</b>	[see attached "Exhibit A"]
<b>Staff:</b>	No adverse impacts.
<b>(7) If the amendment would affect only a single parcel, whether it should be made part of an area-wide review of future land use that includes review of future land use for the subject parcel and other surrounding property.</b>	
<b>Applicant:</b>	[see attached "Exhibit A"]
<b>Staff:</b>	The proposed amendment will affect only 3 parcels, and totals less than 1 acre of land.
<b>(8) The degree to which the proposed amendment would have adverse impacts on land in adjacent municipalities and local governments.</b>	
<b>Applicant:</b>	[see attached "Exhibit A"]
<b>Staff:</b>	The proposed amendment will not have adverse impacts on land in adjacent municipalities and local governments.

**Table of Zoning Districts Permitted in Each Character Area of the Comprehensive Plan**

<b>Comprehensive Plan Character Area</b>	<b>Permitted Zoning Districts</b>
** Established Residential	E-R, R-E, R-25, R-15, R-10, R-6, R-M
** Community Activity Center	E-R, R-6, R-M, R-P, O-P, C-N, C-C, C-H

### **Development Review Comments**

*The following comments are provided by the reviewing departments and are only intended to provide the developer with useful information for planning purposes. This list should not be considered all inclusive as additional items may appear during the plan review process.*

**Engineering:** No comments.

**Building Plan Review:** No comments on these cases

**Fire:** < No comments received >

**Public Works:** < no comments received >

**Police:** < No comments received >.

**Utilities:** No comments.

**Landscaping:** Development of these properties will require compliance with LDR Chapter 328.

#### **Attachments:**

Letters of Authorization (2)  
Future Development Map  
Aerial Location Map  
Zoning Location Map  
Letter of Intent  
Exhibit "A"  
Boundary Survey

### LETTER of AUTHORIZATION

To: Greater Lowndes Planning Commission  
Valdosta City Council

Regarding property located at 202 Denmark St 0161A-173, 174, 176, 177  
(street address) (Tax Map/Parcel #)

I / We the owner(s) of the above described real property in the City of Valdosta, Georgia, do hereby authorize James Warren to act as agent on my/our behalf, in submitting an application requesting to amend the "Future Development Map" of the Greater Lowndes Comprehensive Plan, by changing the **Character Area** designation of my/our property to a Community Activity Center classification, and to represent me/us in all public hearings and other matters with the City of Valdosta relating to this application.

[Signature] Paul D. Freeman 7/31/24  
Signature(s) PRINT name(s) Date

NOTARY PUBLIC

State of GA, County of Lowndes

Sworn to and subscribed to me on this 31 day of July 2024.

My commission expires \_\_\_\_\_.

[Signature] (seal)  
Notary Public



### LETTER of AUTHORIZATION

To: Greater Lowndes Planning Commission  
Valdosta City Council

Regarding property located at Denmark St 0161A-175  
(street address) (Tax Map/Parcel #)

I / We the owner(s) of the above described real property in the City of Valdosta, Georgia, do hereby authorize James Warren to act as agent on my/our behalf, in submitting an application requesting to amend the "Future Development Map" of the Greater Lowndes Comprehensive Plan, by changing the Character Area designation of my/our property to a Community Activity Center classification, and to represent me/us in all public hearings and other matters with the City of Valdosta relating to this application.

[Signature]  
Signature(s)

John Dillard  
PRINT name(s)

7/29/24  
Date

NOTARY PUBLIC

State of Georgia, County of Lowndes

Sworn to and subscribed to me on this 29th day of July 2024.

My commission expires 2-11-2025

Sharon R Griffith  
Notary Public



# VA-2024-18 Future Development Map

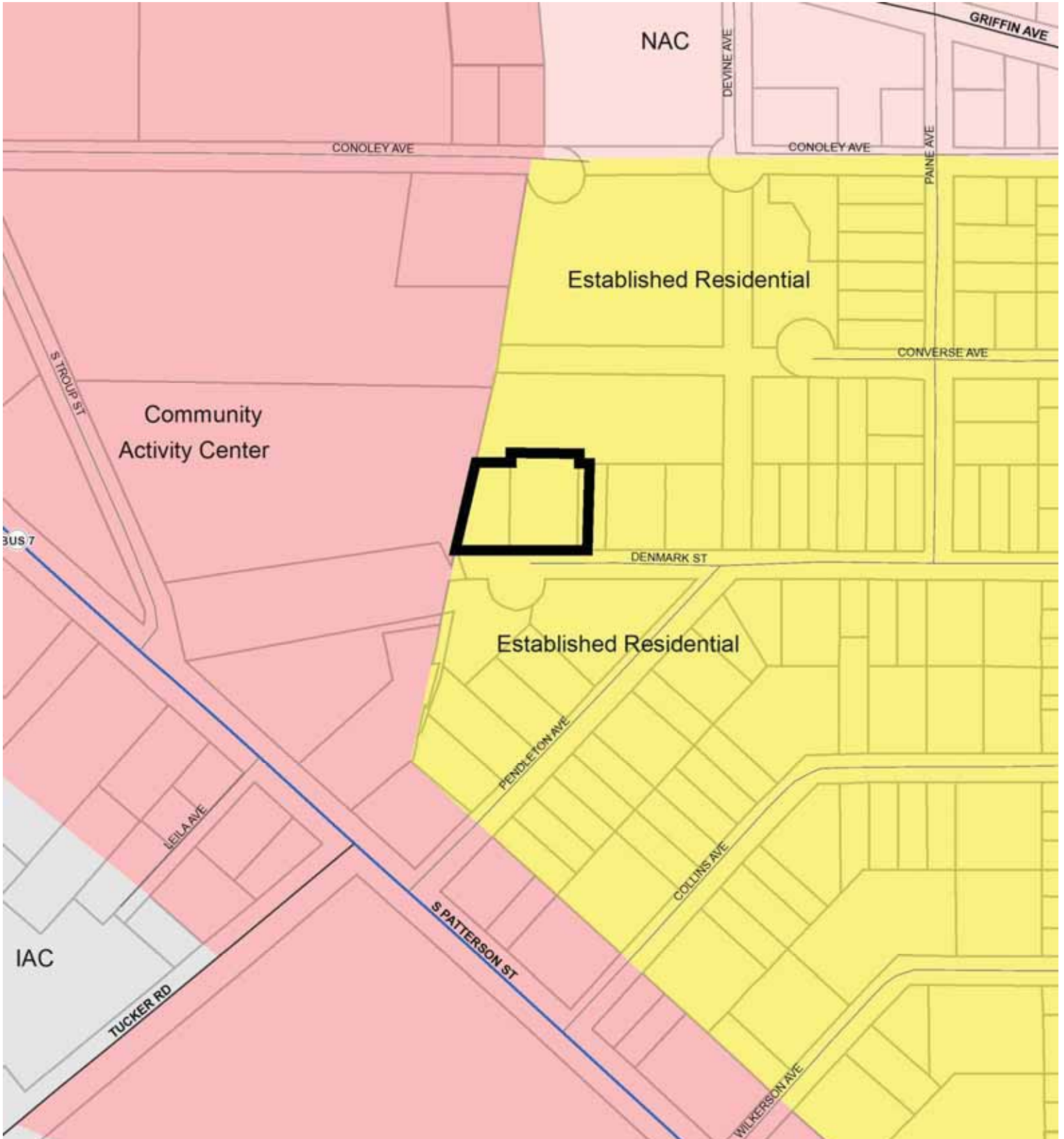


James Warren  
FDM Amendment Request

202 Denmark Avenue  
Tax Map # 0161A Parcels 173, 174, 175

Current Character Area = Established Residential

\*\* Map NOT to scale Map Data Source: VALOR GIS August 2024





# VA-2024-18      Aerial Location Map

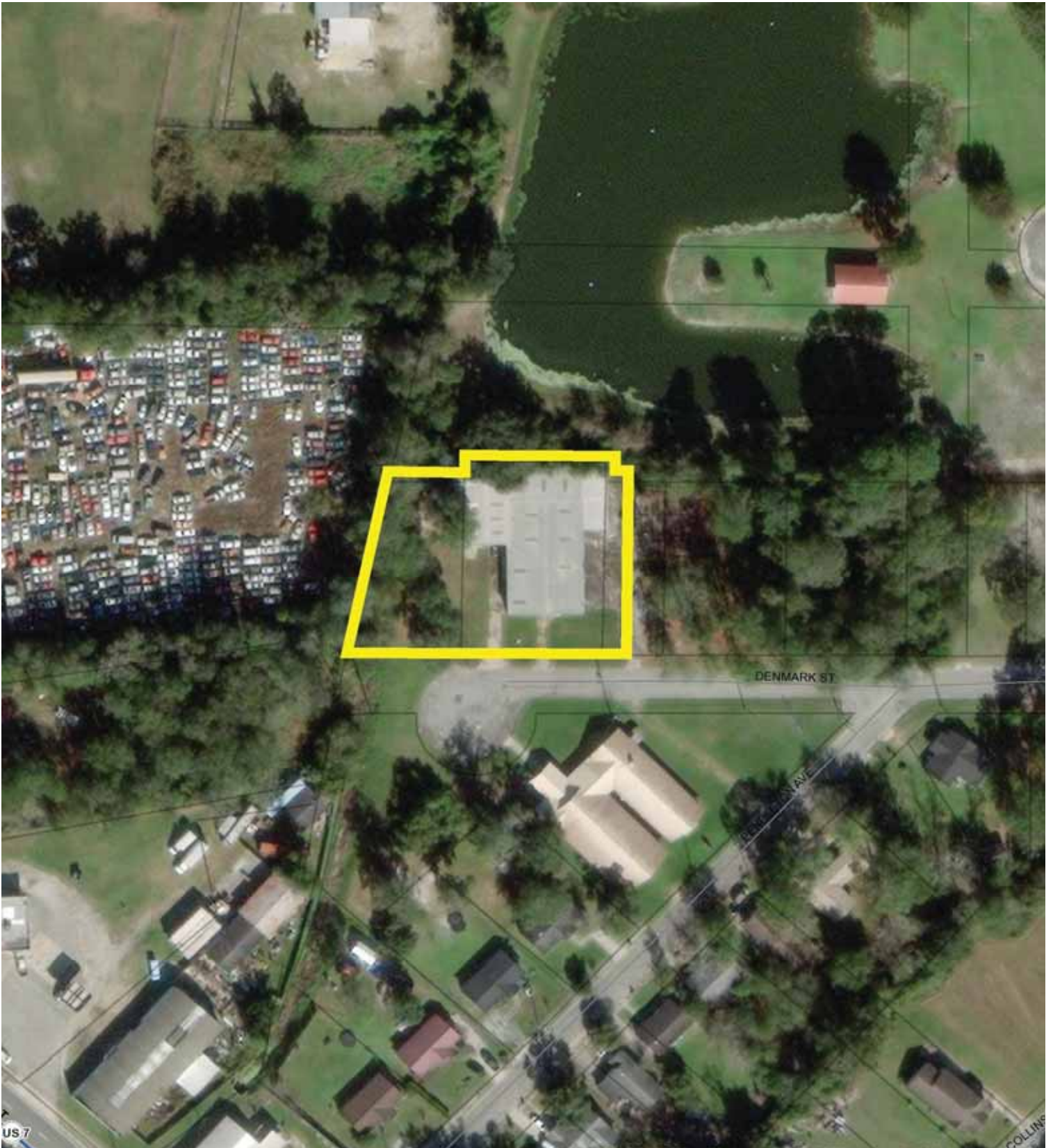


**James Warren**  
**FDM Amendment Request**

202 Denmark Avenue  
Tax Map # 0161A    Parcels 173, 174, 175

~ 2022 Aerial Imagery

\*\* Map NOT to scale      Map Data Source: VALOR GIS August 2024



# VA-2024-18

# Zoning Location Map

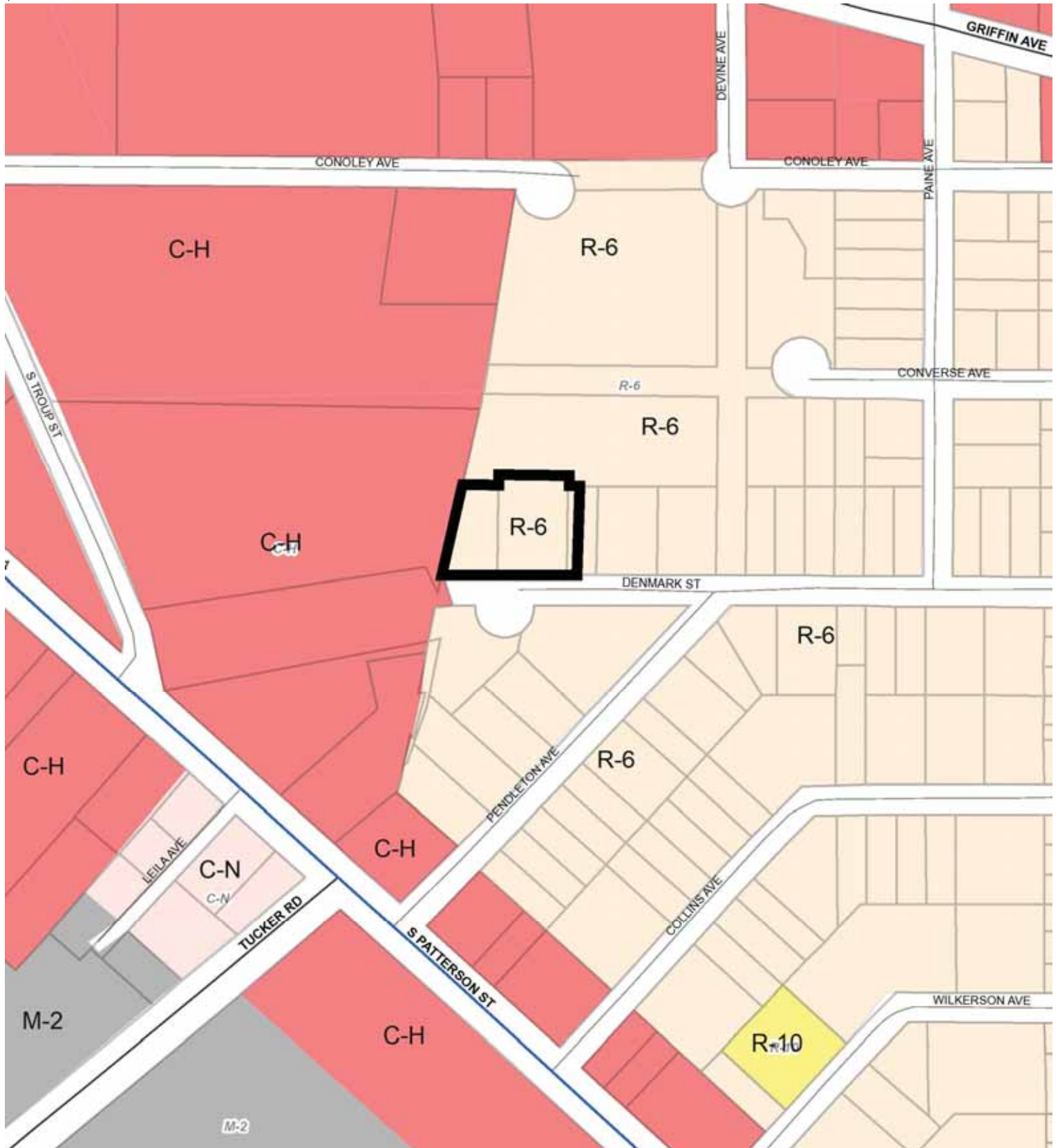


James Warren  
FDM Amendment Request

202 Denmark Avenue  
Tax Map # 0161A Parcels 173, 174, 175

Current Zoning = R-6

\*\* Map NOT to scale    Map Data Source: VALOR GIS August 2024



**Langdale Vallotton, LLP**

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Tel: (229) 244-5400 | [www.langdalelaw.com](http://www.langdalelaw.com)

**William C. Nijem, Jr.**

Direct Dial: (229) 588-7118  
[bnijem@langdalelaw.com](mailto:bnijem@langdalelaw.com)

LV File No. 200257

August 15, 2024

Mr. Matt Martin  
Planning Director  
City of Valdosta, Georgia  
300 N. Lee Street  
Valdosta, Georgia 31603  
Via E-Mail to: [mattmartin@valdostacity.com](mailto:mattmartin@valdostacity.com)

RE: Proposed Amendment to the City of Valdosta Future Development Map for City of Valdosta Tax Map Parcel Numbers 0161A 173, 0161A 174 and 0161A 175 (collectively the "Property")

Dear Mr. Martin:

Our firm represents James Warren in connection with the above referenced zoning matter. The enclosed Application for Future Development Map Amendment is being submitted to amend the City of Valdosta Future Development Map to establish a character area classification that is more consistent with the long-standing prior use and the existing use of the Property and the Comprehensive Plan and more compatible with the current and future character area classifications of adjacent property than the Property's current classification. As further detailed in our application, the commercial use and structure existing on the Property predate the classification of the Property as Established Residential Area. Amending the character area designation to Community Activity Center, as proposed in our application, would make the character area classification more consistent with the prior and existing use of the Property. Further, amending the character area designation to Community Activity Center would make the character area classification more consistent with the Comprehensive Plan, as the Property and the land immediately surrounding the Property are more closely aligned with the Comprehensive Plan's depiction of a Community Activity Center than an Established Residential Area.

Please note that City of Valdosta Tax Map Parcel Number 0161A 175 is owned by Lowndes County. Please find enclosed herewith a Letter of Authorization executed by JD Dillard, Lowndes County Director of Planning and Zoning, consenting to the inclusion of Tax Map Parcel Number 0161A 175 in the application and authorizing the applicant to act on the County's behalf in connection with this application.

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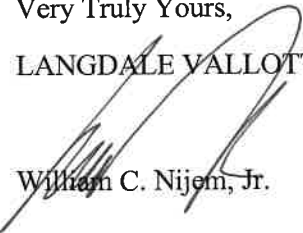


Please also find enclosed a plat recorded March 10, 1926 in Plat Book 1, Page 251 of the Lowndes County, Georgia deed records which depicts the Property. We have also enclosed a Warranty Deed recorded December 30, 2024 in Deed Book 6868, Page 189 of the Lowndes County, Georgia deed records which includes a metes and bounds legal description of the Property. We will supplement our application with a boundary drawing of the Property related to the proposed amendment as we receive the same.

Please let us know if you need any additional information for the processing of these applications. If you should have any questions, please do not hesitate to contact me.

Very Truly Yours,

LANGDALE VALLOTTON, LLP

  
William C. Nijem, Jr.

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## EXHIBIT A

### **Description and Rationale of the Proposed Amendment**

This Application is for a Future Development Map Amendment for City of Valdosta Tax Map Parcel Numbers 0161A 173, 0161A 174, and 0161A 175 (collectively referred to as the “Property”). The purpose of this amendment application is to amend the Property’s character area classification from Established Residential Area to Community Activity Center. Amending the character area designation to Community Activity Center would make the character area classification more consistent with the long-standing prior use of the Property and the existing use of the Property and the Comprehensive Plan and more compatible with the current and future character area classifications of adjacent property. Amending the character area designation to Community Activity Center would make the character area classification more consistent with the existing use of the Property, as the Property features a commercial use and structure that predates the classification of the Property as Established Residential Area. Amending the character area designation to Community Activity Center would also make the character area classification more consistent with the Comprehensive Plan as the Property and the land immediately surrounding the Property are more closely aligned with the Comprehensive Plan’s depiction of a Community Activity Center than an Established Residential Area. Finally, amending the character area designation to Community Activity Center would make the character area classification more compatible with the current and future character area classifications of adjacent property, as the Property is bordered on the west by property currently classified as Community Activity Center.

### **Future Development Map Amendment Questionnaire**

1. Yes; the proposed amendment will result in a Character Area classification that is more consistent with the text and policies of the Comprehensive Plan than the current classification on the Future Development Map. The Property is currently classified as Established Residential Area. The Comprehensive Plan describes an Established Residential Area as “an older neighborhood having relatively well-maintain housing...and having higher rates of home-ownership.” See Comprehensive Plan Section 2.4.6. The land immediately surrounding the Property cannot be accurately characterized as a neighborhood with relatively well-maintained housing or higher rates of home-ownership. The Property is immediately surrounded by a publicly maintained recreational area, a junkyard, a church, and a vacant lot owned by Lowndes County. The Property and property immediately surrounding the Property more closely resemble a Community Activity Center which is described as “a focal point for several neighborhoods that has a concentration of activities such as general retail, service commercial, office professional, higher-density housing, and appropriate public and open space uses.” See Comprehensive Plan Section 2.4.10.

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2. Yes; the proposed amendment will result in a character area classification that is more compatible with the current and future character area classifications of adjacent and nearby property. The Property is directly bordered on the west by property currently classified as Community Activity Center.
3. Yes; the proposed amendment will result in a more efficient use of publicly financed community facilities and infrastructure. In addition, the proposed amendment will potentially allow the Property to be used in a manner that increases utility revenue for the City of Valdosta and increases the personal property taxes generated by any business operated on the Property.
4. No; the proposed amendment will not have significant adverse impacts on the natural environment. The Property will continue to engage in the use established prior to the Property's classification as an Established Residential Area.
5. No; the proposed amendment will not reduce dependence on the automobile. The Property will continue to engage in the use established prior to the Property's classification as an Established Residential Area.
6. No, the proposed amendment will not increase adverse impacts on historic or cultural resources. The Property will continue to engage in the use established prior to the Property's classification as an Established Residential Area.
7. The proposed amendment affects three parcels of land and will be part of an area-wide review of future land use policy that includes review of the subject parcel and other surrounding properties.
8. The proposed amendment will not have an adverse impact on the land in adjacent municipalities and local governments. The Property will continue to engage in the use established prior to the Property's classification as an Established Residential Area.
9. No, the proposed amendment will not result in any negative impacts on the public water supply and the wastewater collection and treatment systems, nor will it conflict with adopted long-term water and sewer plans. The Property will continue to engage in the use established prior to the Property's classification as an Established Residential Area.
10. The commercial use and structure existing on the Property predate the Property's classification as an Established Residential Area. The Property was classified Established Residential Area in connection to the Property's annexation into the City of Valdosta.

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